

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA, :  
: Plaintiff, : Case No. 2:07-CR-179(6)  
: vs. : JUDGE ALGENON L. MARBLEY  
DWAYNE L. CARTER :  
: Defendant. :  
**ORDER**

On January 30, 2008, the Magistrate Judge issued a *Report and Recommendation* pursuant to 28 U.S.C. § 636(b)(1) urging the Court to accept Defendant Dwayne Carter's guilty plea. Defendant, represented by counsel, waived his right to appear on the matter before a District Judge. The Magistrate Judge conducted the colloquy required by Federal Rule of Criminal Procedure 11(b). Defendant's plea was knowing, voluntary, free from coercion, and had a basis in fact. Although Defendant was specifically informed of his right to contest the *Report and Recommendation* and the consequences of his failure to do so, he did not object. Accordingly, the Court **ADOPTS** the *Report and Recommendation* and **ACCEPTS** Defendant's plea of guilty to count one of the indictment.

**IT IS SO ORDERED.**

s/Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT COURT**

**Dated: February 14, 2008**